



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Rona Wade-Blair,
Department of Law and Public Safety

CSC Docket No. 2021-120

Classification Appeal

ISSUED: SEPTEMBER 7, 2020 (RE)

Rona Wade-Blair appeals the decision of the Division of Agency Services (Agency Services) that the proper classification of her position is Agency Services Representative 3. The appellant seeks an Agency Services Representative 4 classification.

The record establishes that the appellant was permanent in the title of Principal Clerk Typist and is assigned to work in the Division of Consumer Affairs. The position is supervised by a Supervisor of Licensing, and has no supervisory responsibility. The appellant sought a reclassification of her position to Agency Services Representative 4. Agency Services performed an analysis of all information submitted, including a Position Classification Questionnaire (PCQ), organization chart, and the appellant’s Performance Assessment Review (PAR).

As a result of that review, the appellant’s position was found to be properly classified as Agency Services Representative 3. In arriving at its conclusion, Agency Services indicated that the duties of the position include handling customer service issues and issuance of agency documents, but that the position does not function in a lead worker capacity. As such, Agency Services found that the requested title did not properly classify the position.

On appeal, the appellant argues that she has been in charge of the violation section of the Board of Cosmetology/Hairstyling since 2006. She states that she assigns work and serves as the go-to person for questions that arise. She states that she is involved in the decision making and structure of the overall department,

and that she works with the public. She argues that she presents ideas to, and seeks guidance from, management, and can execute decisions with ease.

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that in classification appeals, the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for Agency Services Representative 3 states:

Under the general supervision of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides specialized information to customers regarding department/agency programs and services; handles the more complex and/or sensitive customer issues, requests and complaints; does other related work as required.

The definition section of the job specification for Agency Services Representative 4 states:

Under the direction of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides varied information to customers regarding department/agency programs and services; handles the most complex and/or sensitive customer issues, requests and complaints; functions in a lead worker capacity; does other related work as required.

In the instant matter, Agency Services determined that the appellant's position was appropriately classified as an Agency Services Representative 3, and the appellant does not dispute the duties listed in that determination. The classification of a position is determined based on the duties and responsibilities assigned to a position at the time the request for reclassification is received as verified by audit or other formal study. The outcome of position classification is not to provide a career path to the incumbents, but rather is to ensure that the position is classified in the most appropriate title available within the State's classification

plan.¹ How well or efficiently an employee does his or her job, length of service, volume of work and qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees are classified. See *In the Matter of Debra DiCello* (CSC, decided June 24, 2009).

One of the primary determinants in the appellant's classification review was that she was not a lead worker. A leadership role refers to those persons whose titles are non-supervisory in nature, but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves. Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations. Being a lead worker does not mean that the work is performed by only one person, but involves mentoring others in work of the title series. See *In the Matter of Henry Li* (CSC, decided March 26, 2014). The Agency Services Representative 4 is a lead worker title, and lead worker duties must be performed on a consistent and daily basis, not merely intermittently as needed.

On her PCQ, the appellant wrote a four-page narrative describing her duties. She broke her duties into five sections, one done 40% of the time, and three done 20% of the time. Generally, these duties included customer service, data entry, checking data for accuracy and completeness, processing documents, contact with the public, reviewing uniform penalty letters, bookkeeping, and filing. In one of the duties performed 20% of the time, the appellant indicated that she acted as team leader in the organization of assignments, and offered professional guidance in relation to varied tasks related to licenses, the public, violations, money-related accountabilities, and other work. She also indicated that she was the go-to person for many instructional services provided by the violations department. In addition to this, the appellant listed public contact, with 12 associated duties, and uniform penalty letter review for accuracy and completeness with this duty. While the appellant indicated that she acted as a team leader, she provided only the examples of "organization of assignments" and professional guidance. Being a team leader was only one of three groups of duties that the appellant indicated that she performed 20% of the time. The appellant did not specify her actual amount of time spent organizing assignments and providing guidance, but it was a fraction of 20%, and the appellant did not indicate that she did so on a daily basis. The appellant's supervisor did not indicate that the appellant was a lead worker. However, the Chief of Staff stated that the appellant was not functioning as a lead worker, and the appointing authority agreed.

¹ See *In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd* on reconsideration (MSB, decided November 22, 2005).

The lead worker duty provided on appeal was that she assigned work. However, she provided no examples of what work she was assigning, how often it was assigned, or how that differed from “organization of assignments.” Also, she indicated she was the go-to person with questions or when any matters arise. On her PCA, she stated that she offered professional guidance in relation to varied tasks related to licenses, the public, violations, money-related accountabilities, and other work. She did not state originally or on appeal how often she provides guidance to others, nor does she name the employee(s) she leads. Also on her PCQ, she indicated that she was the go-to person for many instructional services provided by the violations department, which is a differing duty. The dearth of lead worker duties on the appellant’s PCQ establishes that she has not met her burden of proof in this matter.

Accordingly, the appellant has failed to establish that Agency Services’ determination that her position was properly classified as an Agency Services Representative 3 was incorrect.

ORDER

Therefore, the Civil Service Commission concludes that the proper classification of the appellant’s position is Agency Services Representative 3.

This is the final administrative action in the matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 2ND DAY OF SEPTEMBER 2020

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Rona Wade-Blair
Valerie Stutesman
Kelly Glenn
Records Center